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S.D. OF N.Y.

1 Madeleine C. Ball
25-61 34th St., Apt 1
Astoria, NY, 11103
2 (203) 858-9978
Plaintiff in Pro Se

3
4 UNITED STATES DISTRICT COURT
5 FOR THE SOUTHERN DISTRICT OF NEW YORK

6
7 Madeleine C. Ball

8 Plaintiff,

9 vs.

10 New York City Council; Ramon

11 Martinez, in his individual capacity and

12 in his official capacity as Chief of Staff

13 for Council Speaker Melissa Mark-

14 Viverito;

15 and William Alatraste, in his individual

16 capacity and in his official capacity as

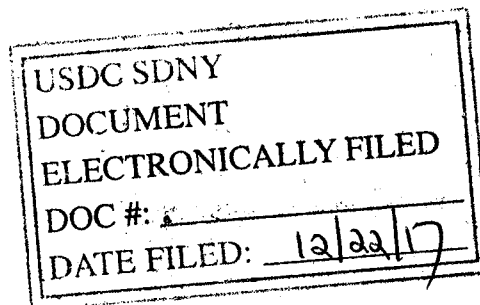
17 Staff Photographer for the New York

18 City Council Press Office,

19 Defendants.
20
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25
26

Case No.: 17 Civ. 4828 (JMF)

AMENDED COMPLAINT



JURISDICTION

1. This Court has subject matter jurisdiction under 28 U.S.C. § 1331.
2. In addition, this Court has jurisdiction over Plaintiff's claims under the FLSA pursuant to 29 U.S.C. § 216(b).
3. This Court has supplemental jurisdiction over Plaintiff's claims under New York State Law pursuant to 28 U.S.C. 1367.

VENUE

4. Venue is proper pursuant to 28 U.S.C §1391 because the events giving rise to this complaint happened in this district.

PARTIES

5. Plaintiff Madeleine C. Ball worked as a photojournalism intern at the New York City Council ("NYCC") Press Office from June 14, 2015 to August 29, 2015.
6. The New York City Council is New York City's legislative body.
7. Defendant Melissa Mark-Viverito is the Speaker of the New York City Council.
8. Ramon Martinez is the Chief of Staff for Council Speaker Melissa Mark-Viverito and upon information and belief manages payroll for NYCC employees.
9. William Alatrisme is the Staff Photographer at the New York City Council Press Office and was Ms. Ball's direct supervisor.

FACTUAL ALLEGATIONS

1 10. Ms. Ball first learned of the opportunity to be a photojournalism intern for
2 the NYCC in March 2015, when she was a junior at New York University.
3 Mr. Alatrisme was a guest speaker for her NYU photojournalism class and
4 described this internship as paid and full-time. After class, Ms. Ball
5 approached Mr. Alatrisme and asked what the rate of pay was. Mr. Alatrisme
6 confirmed that the position was paid, but said that he didn't know the rate.

7 11. At the time Ms. Ball had extremely limited financial resources.

8 12. Ms. Ball spoke with Mr. Alatrisme and he offered her the position. Before
9 beginning work, Mr. Alatrisme personally assured Ms. Ball that her internship
10 would be a paid one. He said words to the effect of "This is a paid
11 internship." With this information, Ms. Ball accepted the internship.

12 13. Shortly after Ms. Ball began working for the NYCC, Mr. Alatrisme told her
13 that she had to fill out an application to continue working. (Ms. Ball
14 incorrectly remembered this application as a contract at the time of her
15 original complaint.)

16 14. Mr. Alatrisme brought Ms. Ball to 250 Broadway, New York, NY 10007, a
17 government building, in order to fill out the paperwork. The paperwork was
18 executed in his presence.

19 15. The application was a standard work application, asking for details about
20 Ms. Ball such as her past employment history. (Exhibit I). It was entitled
21 "Council Application for Unpaid Positions." It included an
22 acknowledgement, entitled "Orientation Packet & Acknowledgement
23 (Unpaid Positions)" in which Ms. Ball acknowledged she had received items
24 such as an orientation packet. (Exhibit J).

25 16. Mr. Alatrisme said that filling out this paperwork was just a formality
26 necessary to work there and that Ms. Ball would still be paid. Ms. Ball

1 signed it because she had forgone other work opportunities for the summer
2 and would be left without a job if she refused to sign it.

3 17. The only reference in these documents to Ms. Ball's position being unpaid
4 was in the title of the application and acknowledgement. Ms. Ball did not
5 assent to any stipulation that she would do unpaid work.

6 18. Ms. Ball later became concerned that what she signed may have been a
7 contract that would preclude her from compensation, and so she
8 continuously requested a copy throughout the time she worked at the NYCC,
9 but did not receive one.

10 19. At no point did Mr. Alatrisme provide Ms. Ball with any sort of wage notice
11 or information detailing matters such as how much she would be paid, how
12 often, or if she would receive overtime, even though she repeatedly asked
13 for such information.

14 20. Throughout the time that she worked at the NYCC, Ms. Ball would ask Mr.
15 Alatrisme that she be paid. Ms. Ball made these requests once or twice a
16 week. Mr. Alatrisme verbally reassured her she would be compensated, with
17 words to the effect of "Don't worry, I'm working on getting you paid," and
18 "You will be paid eventually." Mr. Alatrisme also through text messages and
19 email reassured her that she would be compensated, saying, for example,
20 "I'm almost certain that I'll be able to pay your for the internship." (sic)
21 (Exhibit A1) (*See also* Exhibits A2-A4). Mr. Alatrisme however would often
22 become upset with Ms. Ball for requesting payment, which discouraged her
23 from asking even more frequently or from contacting superiors.

24 21. Around July of 2015, Mr. Alatrisme told Ms. Ball that she would be paid
25 \$15.00 per hour for all the work she had done and would continue to do.
26

1 22. Mr. Alatrisme repeatedly asked Ms. Ball to record her hours for the purposes
2 of payment.

3 23. During the time of her work at the NYCC, Ms. Ball covered press
4 conferences, hearings, and events concerning council member activity
5 throughout the city. She at times performed the same work as her paid
6 supervisor and took his place at times when he was unavailable. Ms. Ball's
7 work was valuable to the Press Office at the NYCC as her work appeared in
8 newspapers and social media across the city. (Exhibits B1-B13; C1-C6; D1).
9 Multiple council members, including Defendant Melissa Mark-Viverito,
10 relied on her to photograph their appearances.

11 24. Ms. Ball was required to answer her phone at all times and at inconvenient
12 hours (late at night, past midnight, or early in the morning). (Exhibits A3;
13 B1-B3, B5, B9, B11). She was always on-call for her work. Failure to
14 respond to late-night texts would result in questioning from Mr. Alatrisme the
15 following day.

16 25. Ms. Ball's job was high-stress and Mr. Alatrisme would often become very
17 agitated about her photos being perfect and work being produced quickly, as
18 he depended on her work for the functioning of the NYCC's press office.

19 26. Ms. Ball was not provided with formal trainings, and there was no
20 significant educational component of the internship besides typical on-the-
21 job learning. Mr. Alatrisme expected Ms. Ball to already know how to edit
22 photos, use and own a sophisticated camera, have NYPD press credentials,
23 and have the portfolio of a working photojournalist. The NYCC relied on her
24 skill at photography, which was not learned at this job but was instead a
25 reason why she was hired.
26

1 27. Ms. Ball was required to learn the ropes of her job quickly, and after about a
2 month she began tackling photojournalism projects independently with little
3 instruction or supervision.

4 28. Ms. Ball never received educational credit for the internship from her
5 university. She had initially planned to attempt to receive credit, but learned
6 that NYU did not offer credit for non-editorial journalism internships.

7 29. Ms. Ball continued to work despite nonpayment because Mr. Alatrisme
8 repeatedly told her that she would ultimately be paid. When Ms. Ball
9 suggested that she reach out to Defendant Melissa Mark-Viverito's Chief of
10 Staff, Defendant Ramon Martinez, about her nonpayment, Mr. Alatrisme
11 informed her over text message that this would be the "Worst thing you
12 Could do." [sic] (Exhibit E1). Mr. Alatrisme repeatedly warned her that
13 contacting Human Resources or Council Speaker Melissa Mark-Viverito
14 about her nonpayment would result in unspecified disciplinary action.

15 30. Upon information and belief, Defendant Ramon Martinez was aware that
16 Ms. Ball was working for the NYCC and was not being paid. In July and
17 August of 2015, Mr. Alatrisme repeatedly stated that Mr. Martinez was
18 apprised of the situation but was reluctant to pay her.

19 31. Mr. Alatrisme also informed Ms. Ball that the Communications Director at
20 the time, Eric Koch, believed that Ms. Ball should be paid and was pushing
21 Mr. Martinez to pay her.

22 32. Around October 2015, Mr. Alatrisme informed Ms. Ball that he was giving
23 her the title of "Assistant," in order to ensure that she was paid. He also said
24 that Mr. Koch was now in charge of paying her. (Exhibit A2).

25 33. Mr. Alatrisme repeatedly indicated to Ms. Ball that successful performance
26 during her internship might lead to her employment with the NYCC after her

1 completion of college. Ms. Ball also continued to work for the NYCC for
2 this reason.

3 34. After Ms. Ball's internship ended, she continued to reach out to Mr.

4 Alatraste, asking to be paid. She called many times, though he never returned
5 her calls. She asked in emails to be paid, and he responded that he would call
6 her about it, but never did. (Exhibit A4). Ms. Ball's last request to be paid
7 was in February of 2016, which he never responded to. (Exhibit E2).
8 Eventually, Ms. Ball gave up, thinking there was no way she could ever
9 recover her lost wages.

10 35. In total, Ms. Ball performed 236.25 hours of work for the NYCC from June
11 14, 2015 to August 29, 2015 that she was never compensated for. (Exhibit
12 F).

13 36. Ms. Ball's hours were unpredictable, which made maintaining a second job
14 impossible. Ms. Ball was expected to come into work whenever Mr.
15 Alatraste required her to. Ms. Ball did not have any set days off and was
16 expected to be available on weekends.

17 37. NYCC's failure to pay Ms. Ball for her work caused Ms. Ball significant
18 financial hardship.

19 38. On a letter dated June 13, 2017, Ms. Ball outlined her complaint and request
20 for relief to Robin Levine, NYCC HR, NYCC Payroll, Council Member
21 Helen Rosenthal, Council Member Jumaane Williams, and Council Speaker
22 Melissa Mark-Viverito via postal mail and email.

23 39. On or around June 13, 2017, Ms. Ball also filed a complaint with the New
24 York City Comptroller.

25 40. On July 5, 2017, after Ms. Ball first filed this complaint, she received a
26 response from Abid M. Hossain, Assistant General Counsel for the NYCC,

1 asking for additional evidence. She provided additional evidence that is now
2 included in the amended complaint. Ms. Ball also asked for a copy of what
3 she believed was a contract, to which Mr. Hossain never responded. Ms.
4 Ball followed up by phone and email several times about the “contract” with
5 Mr. Hossain, and received no response.

6 41. In a letter dated August 4, 2017, Ms. Ball received a letter from the
7 comptroller’s office stating that her claim was denied because of her
8 completion of the aforementioned application and acknowledgement.
9 (Exhibit H). On October 17, 2017 Mr. James Yang confirmed on the
10 telephone that this was the only document their office had received. Mr.
11 Yang told Ms. Ball that he was mailing a written confirmation of that fact.

12 42. After numerous calls to the comptroller’s office, Ms. Ball received the
13 “Council Application for Unpaid Positions and Orientation Receipt and
14 Acknowledgement (Unpaid Positions)” in the mail on October 16, 2017,
15 after which she promptly amended her complaint.

16 17 **CLAIMS FOR RELIEF**

18 **FIRST CLAIM: FAIR LABOR STANDARDS ACT**

19 **29 U.S.C. §§ 201 et seq.**

20 43. Plaintiff realleges and incorporates by reference all allegations in all
21 preceding paragraphs.

22 44. Defendants are employers within the meaning of 29 U.S.C. §203(d) and
23 §206(a).

24 45. Plaintiff was an employee within the meaning of 29 U.S.C. §203(e) and
25 §206(a).

1 46. Defendants violated Plaintiff's rights under the Fair Labor Standards Act,
2 29 U.S.C. §203, §206(a), and §215(a)(2) by failing to compensate Ms. Ball
3 for her labor.

4 47. The Federal Labor Standards Act requires that Ms. Ball be paid for her
5 internship as she was not the "primary beneficiary" of this internship when
6 applying the balancing test for the legitimacy of unpaid internships
7 articulated in *Glatt v. Fox Searchlight Pictures, Inc.*, 811 F.3d 528, 536-37
8 (2d Cir. 2015):

- 9 i. Ms. Ball expected to be paid and her employer indicated she
10 would be paid.
- 11 ii. Her work was similar to that of paid employees and many
12 aspects of her work were dissimilar to clinical educational
13 training, including the expectation that she already have the
14 skills necessary to produce newsworthy photographs and that
15 she be available at all hours.
- 16 iii. Ms. Ball's internship was not tied to her formal education and
17 she received no academic credit.
- 18 iv. Ms. Ball's internship continued past the point that she was
19 learning a significant amount of new information.
- 20 v. Ms. Ball's work displaced the work of paid employees as she
21 performed identical work to paid NYCC photographers and
22 would sometimes substitute for her supervisor.
- 23 vi. Ms. Ball ended her internship expecting to be paid and her
24 employer continued to indicate that she would eventually be
25 compensated months after the conclusion of her internship.
- 26

SECOND CLAIM: NEW YORK STATE CONTRACT LAW

48. Plaintiff realleges and incorporates by reference all allegations in all preceding paragraphs.

49. Defendant William Alatrisme violated New York State Contract Law by making an offer to pay Ms. Ball \$15.00 an hour for her work. Ms. Ball accepted the offer and performed the agreed-upon work, and Defendant Alatrisme breached the contract by failing to pay her. Ms. Ball made the decision to accept the photojournalism position, instead of other positions, because she reasonably relied on Mr. Alatrisme's promises of payment, to her own detriment.

50. The acknowledgement which Ms. Ball signed did not clearly articulate that a condition of her internship was that it be unpaid, and did not include any other promise on the part of either Ms. Ball or the NYCC. This acknowledgement does not constitute a contract.

51. To the extent that the NYCC relies on this acknowledgement as an agreement for Ms. Ball to not be paid, Defendant William Alatrisme fraudulently and/or materially misrepresented the acknowledgement when he assured her that she would still be paid despite the parenthetical subtitle of "unpaid intern" and that signing the form was a necessary formality.

THIRD CLAIM: NEW YORK LABOR LAW (WAGE THEFT PREVENTION ACT)

52. Plaintiff realleges and incorporates by reference all allegations in all preceding paragraphs.

53. To the extent that any or all Defendants are subject to New York Labor Law, Defendants violated the NYLL Article 6 §§ 190 et seq. by failing to

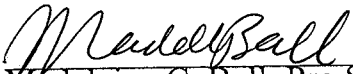
1 pay Ms. Ball as promised, failing to pay her the minimum wage, failing to
2 provide her with a written notice of pay schedule within ten days of hiring
3 her (or at any point), and failing to provide her with a pay statement.
4

5 **PRAYER FOR RELIEF**

6 WHEREFORE, the Plaintiff respectfully requests that this Court:

- 7 A. Assume jurisdiction over this matter;
8 B. Order the Defendants to pay Ms. Ball \$3,543.75 (\$15.00 per hour for
9 236.25 hours) for work she performed from June 14, 2015 to August 29,
10 2015;
11 C. Award Plaintiff the liquidated damages she is entitled to pursuant to 20
12 U.S.C. §§ 201 et seq.;
13 D. Award Plaintiff any damages she is entitled to under the NYLL;
14 E. Award any attorney's and Court fees plaintiff may incur;
15 F. Award such other and further relief that this Court deems just and proper.
16
17

18 Dated this 22nd day of December, 2017

19
20 
21 Madeleine C. Ball, Pro Se
22 25-61 34th St., Apt 1
23 Astoria, NY 11103
24 (203) 858-9978
25
26

December 22, 2017

Madeleine C. Ball
25-61 34th St., Apt. 1
Astoria, N.Y., 11103
(203) 858-9978

EXHIBITS DOCUMENT

AMENDED 12/22/17

EXHIBIT A1: Mr. Alatrisme indicating that Ms. Ball will be compensated.

 **William Alatrisme** <william.alatrisme@gmail.com>

7/31/15



to me

After a month of pushing and pulling, I think I've finally managed to get through to the powers that control flow of funds. I'm almost certain that I'll be able to pay your for the internship. Hopefully you've been keeping record of your hours. Will talk more on Monday.



Madeleine Ball <madeleine.c.ball@gmail.com>

8/1/15



to William

Sigh of relief. Thank you so much for working on this. I can't tell you how helpful that will be. I've tracked every hour since day 1. Let me know what I need to do to make this possible.

See you on Monday.



[Click here to Reply or Forward](#)

EXHIBIT A2: Mr. Alatrisme indicating that Ms. Ball has been promoted and that payment will be made.

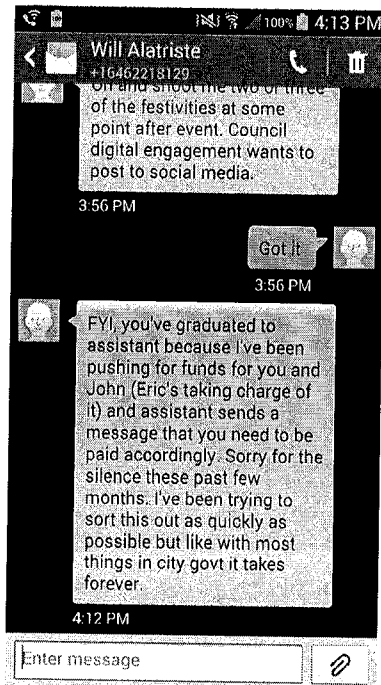


EXHIBIT A3: Mr. Alatrisme informing Ms. Ball that she can continue to work during the academic semester of fall 2015 paid.

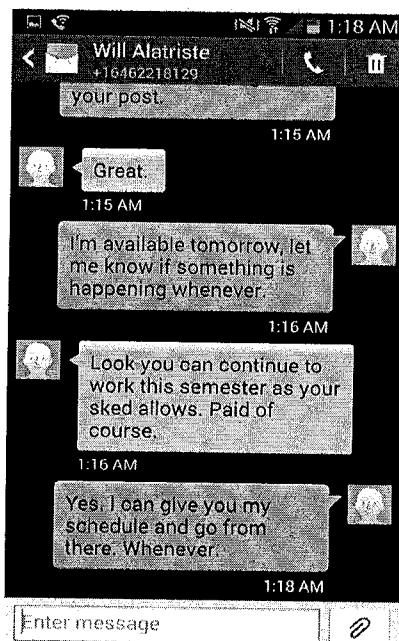




EXHIBIT A4: Mr. Alatrisme says he is willing to discuss compensation with Ms. Ball though he never did.

January 

 **Madeleine Ball** <madeleine.c.ball@gmail.com>
to Will 

1/7/16   

Will Alatrisme
william.alatrisme@gmail.com

Show details

Happy New Year Bill,

How are you doing?

Back in October, you mentioned a photo project regarding Brooklyn youth. I am available this month and would like to learn more about it. If there are any other events that you need covered this month, I am available and interested.

In the next week, I will apply for a NYPD Press Pass. Graduation is in May and I need the proper materials to enter the workforce.



Speaking of, I'm compiling a portfolio, and need the wedding photos. When is the most convenient time and place to pick up the memory card?

I have questions regarding summer compensation that are best discussed on the phone or in person.

Thank you. I'll give you a call at the end of the week.

Sincerely,

Madeleine

 **William Alatrisme** <william.alatrisme@gmail.com>
to me 

1/7/16  

Will Alatrisme
william.alatrisme@gmail.com

Show details

Madeleine--

Great to hear from you. Sorry for the silence on my end. I hit a snag health wise a few months back and am currently working through it.

I have hernia surgery scheduled next Wednesday (it might be postponed because I'm getting over a virus) and I'll be out for a few weeks minimum.



If I go forward with surgery, are you available to step in from 13th to the 26th or so?

John will be returning from a trip by then and might be able to cover from that point on.

Let's talk in person about comp. I'll give a call tomorrow or over the weekend. Today is my wife's Christmas so big family get together tonight.

Merry Christmas to you as well--if you celebrate around this time.

Bill

 **Madeleine Ball** <madeleine.c.ball@gmail.com>
to Will 

1/7/16  

Will Alatrisme
william.alatrisme@gmail.com

Show details

Hi Bill,

No worries. Wishing you a successful surgery and quick recovery. If you and your family need anything— someone to watch the kids, an errand— please don't hesitate to call, I'm still right around the corner.

I'm available to step in on the 13th onwards. Looking forward to it.

Merry Christmas. Enjoy the celebration tonight.

Best,

Madeleine

EXHIBIT B1: Mr. Alatrisme instructing Ms. Ball at 8:38pm to cover a press conference for the NYCC in Staten Island for press and social media. Photo later appeared in the *Staten Island Advance*.

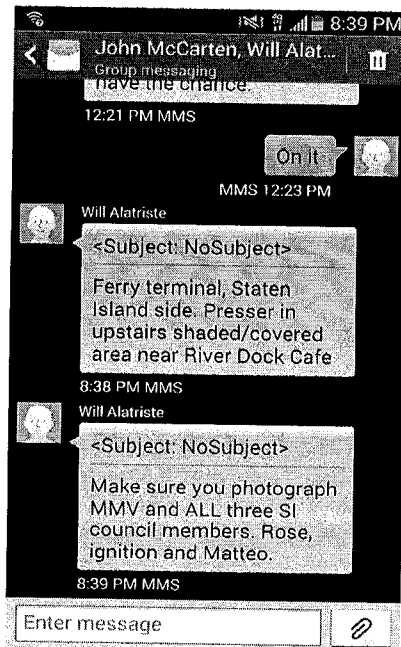


EXHIBIT B2: At 11:51 P.M., Mr. Alatrisme giving Ms. Ball and Mr. McCarten instructions for an assignment.

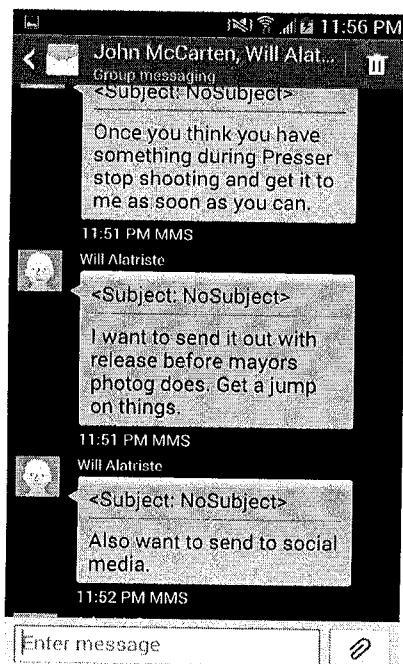


EXHIBIT B3: At 11:58pm, Mr. Alatrisme giving Ms. Ball and Mr. McCarten instructions for an assignment that would be distributed to City Hall beat reporters.

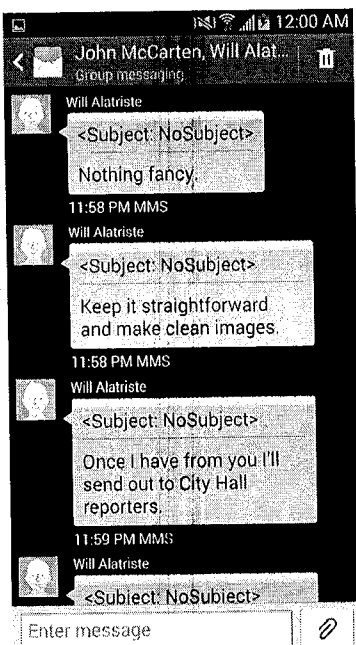


EXHIBIT B4: Mr. Alatrisme instructing Ms. Ball to send photos she took on an assignment to the press.

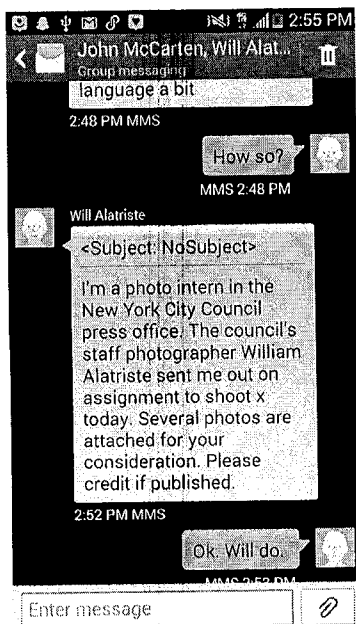


EXHIBIT B5: Mr. Alatrisme providing Ms. Ball with detailed instructions to shoot a precise photo for media.

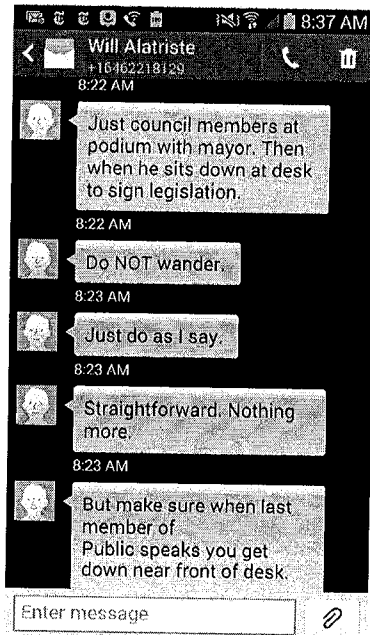


EXHIBIT B6: Mr. Alatrisme instructing Ms. Ball to identify as an independent photographer, not an intern, in conversations with press.

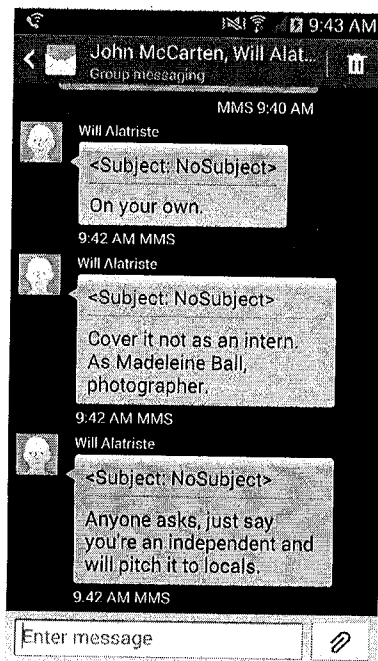


EXHIBIT B7: Mr. Alatrisme sending Ms. Ball on an assignment in his stead, as his “proxy.”

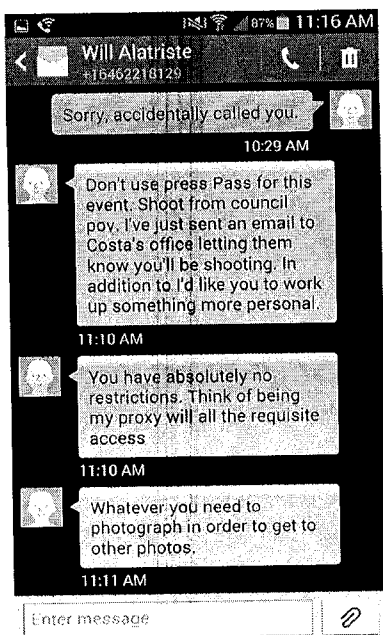


EXHIBIT B8: Mr. Alatrisme letting Ms. Ball know that based on her work at the NYCC, she was on track to qualify for NYPD-issued press credentials, which are only granted to serious working members of the press.

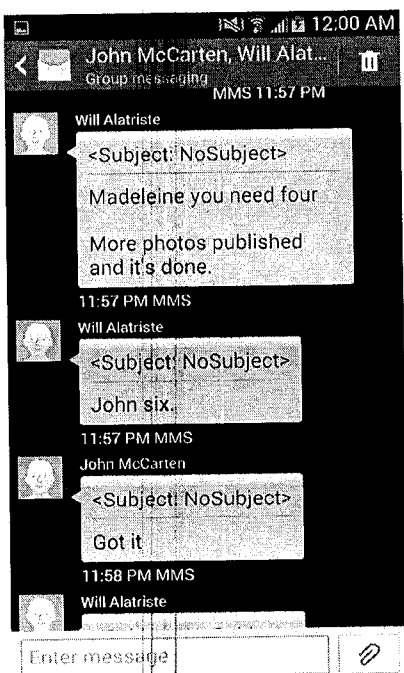
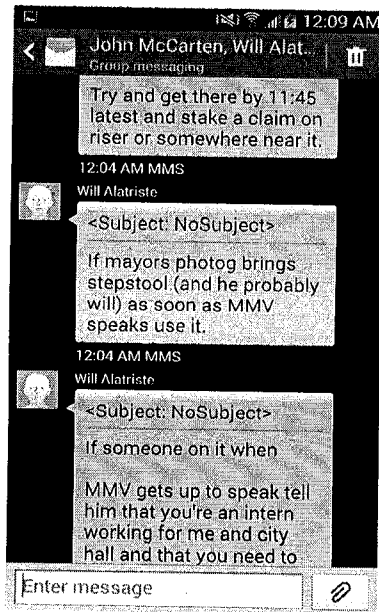
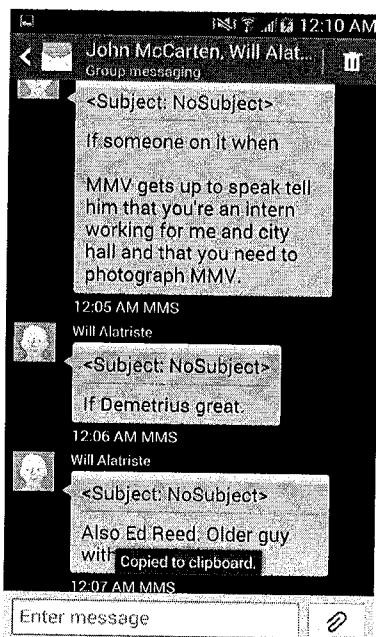


EXHIBIT B9:

1 of 3: Mr. Alatrisme giving Ms. Ball and Mr. McCarten instructions to shoot a press conference that was also being shot by Mayor Bill de Blasio's photographer. Ms. Ball and Mr. McCarten were the sole NYCC photographers covering the conference and did so on the behalf of the NYCC. Note that Mr. Alatrisme messages them after midnight.



2 of 3:



3 of 3.

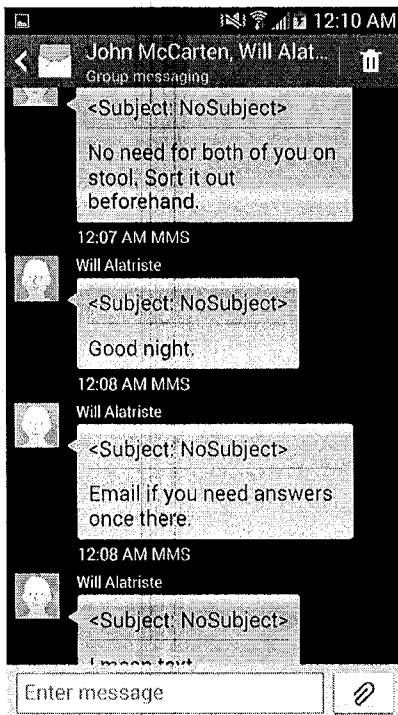
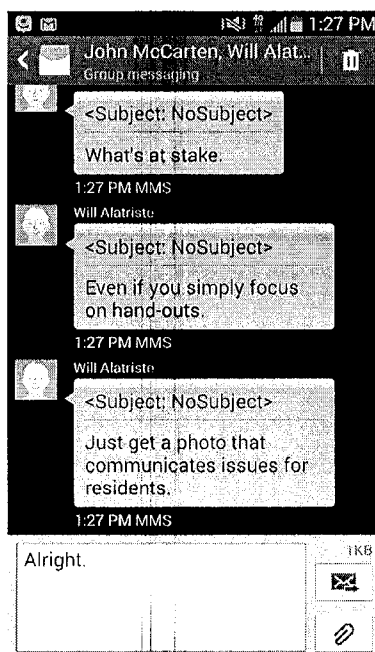
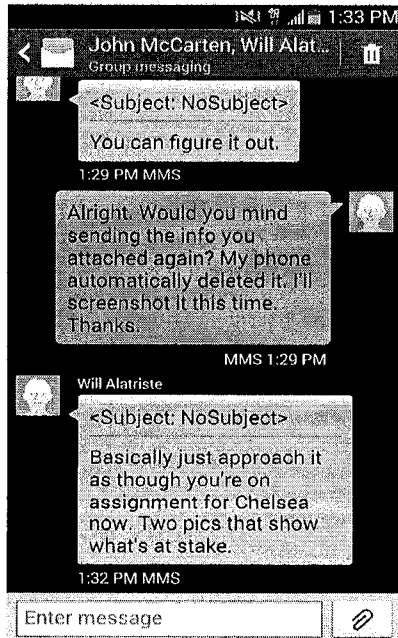


EXHIBIT B10:

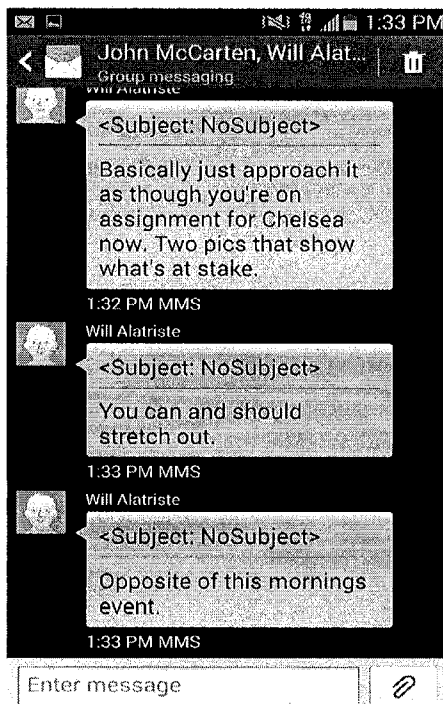
1 of 4. Mr. Alatraste giving Ms. Ball and Mr. McCarten instructions to shoot an event featuring Council Member Corey Johnson. Ms. Ball shot this event without supervision.



2 of 4. Mr. Alatrisme demonstrating that Ms. Ball is working as a press photographer representing the NYCC. *Chelsea Now* is a community paper in the neighborhood of Chelsea. Ms. Ball shot this event without supervision.



3 of 4.



4 of 4. Note that “write off the photo” means that the editor of *Chelsea Now* might desire to run the photo that Ms. Ball took in their publication.

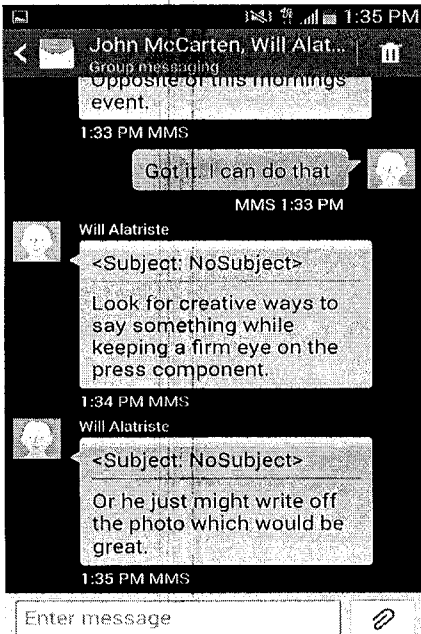


EXHIBIT B11: Mr. Alatrisme giving Ms. Ball instructions to cover an event featuring Council Majority Leader Jimmy Van Bramer, which she did without supervision.

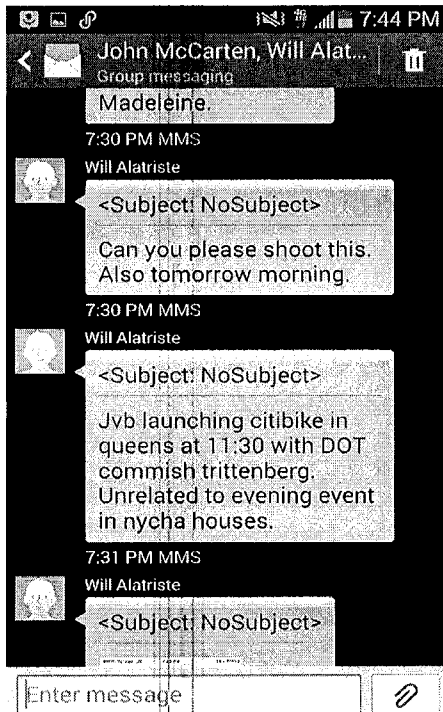
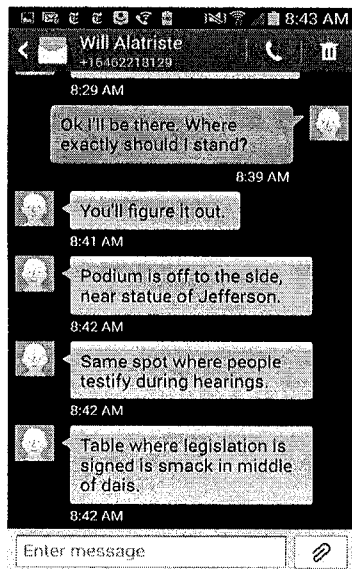
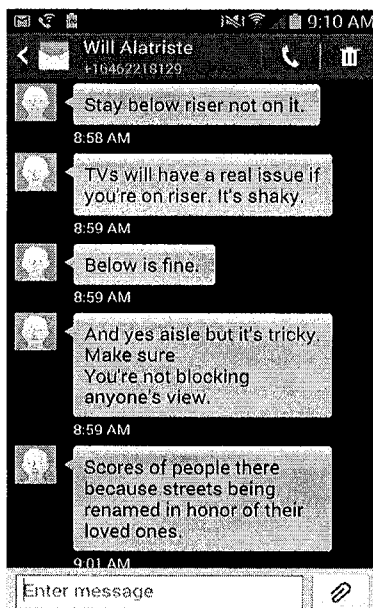


EXHIBIT B12:

1 of 2. Mr. Alatrisme giving detailed instructions for where to position Ms. Ball to photograph a hearing in City Hall Chambers. Ms. Ball shot this without supervision and the photos were used for the NYCC's benefit. Ms. Ball's appeared in the *Canarsie Courier*.



2 of 2. Additional instructions given.



B13: Mr. Alatrisme giving Ms. Ball instructions to cover a Town Hall featuring City Council Speaker Melissa Mark-Viverito. Ms. Ball shot this Town Hall without supervision.

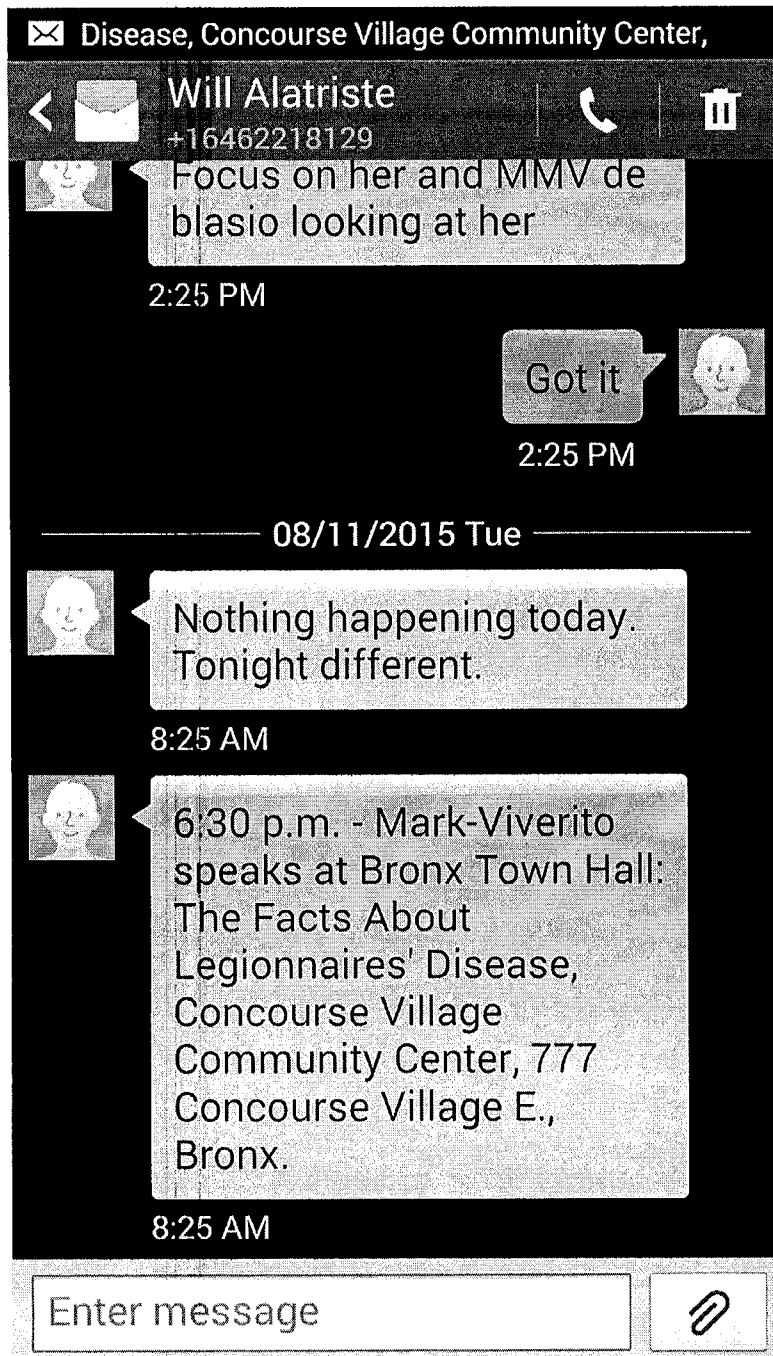


EXHIBIT C1: Front page of the *Amsterdam News*, 8/6/15-8/12/15. Ms. Ball took the photo for the NYCC.

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NEW YORK

Amsterdam News

THE NEW BLACK VIEW

Vol. 106 No. 32 | August 6 - August 12, 2015 ©2015 The Amsterdam News | \$1.00 New York City

U.S. EPIDEMIC



By NAYABA ARINDE
Amsterdam News Editor

"The gunshots are like lullabies over here," said a resident of the Walt Whitman Houses in Fort Greene, Brooklyn, to NY1, in the wake of the shooting death of Domingo Martin, 46, Saturday night. "They help you get to sleep. Unfortunately for that guy, it's permanent."

"It is an epidemic," declared Brooklyn City Council Member Jumaane Williams at a press conference held Monday on the steps of Jay Street City Hall. "It is a national public health crisis."

The NYPD told the *Amsterdam News* that this past weekend—from Friday, July 31 to Sunday, Aug. 2—there were 10 shooting incidents with 22 victims, including three deaths. Monday, Aug. 3, on Dwight Street in Red Hook, Brooklyn, Frederick Marquise, 19, and another man were suspected of shooting three women and two men. It is reported that a

Brooklyn Borough President Eric Adams, Councilman Jumaane Williams and A.J. Mitchell led the procession to unveil a coffin at the steps of Brooklyn Borough Hall for the victims of gun violence. (Photo courtesy by Madeleine Ball for the NYC Council 150)

See EPIDEMIC on page 32

Legionnaires' disease creates health scare for city

By CYRIL JOSH BARKER
Amsterdam News Staff

Legionnaires' disease is the latest health scare that has taken New Yorkers by storm and put the city into somewhat of a frenzy.

News of the outbreak made headlines last week, with cases seen in the South Bronx. As of Wednesday, nearly 90 cases of the disease and seven deaths have been reported since July 10.

Legionnaires' disease is primarily caused by the bacterium *Legionella pneumophila*. Symptoms include headache, fatigue, loss of appetite, confusion and diarrhea. Symptoms usually appear two to 10 days after significant

exposure to *Legionella* bacteria. Those who died had underlying health conditions and were elderly.

Most cases of Legionnaires' disease can be traced to plumbing systems, where conditions are favorable for *Legionella* growth, such as whirlpool spas, hot tubs, humidifiers, hot water tanks, cooling towers and evaporative condensers of large air conditioning systems. Several cooling towers in the South Bronx have been decontaminated as a result, and a wider look at cooling towers across the city has been prompted. The disease cannot spread person to person.

At a press conference, Mayor Bill de

See LEGIONNAIRES on page 6

Is there a national attack on Black women?

By STEPHON JOHNSON and BRIAN JOSEPHS
Special to the Amsterdam News

With attention still focused on Sandra Bland's mysterious death in a Texas jail cell, four other deaths involving the police and jail are making their way into the national consciousness.

Rayetta Turner, 44, is the most recent of the jail deaths. After being arrested for shoplifting, Turner was found dead in a holding cell Monday, July 29 in Mt. Vernon. Mayor Ernest Davis said Turner reported that she had a number of medical issues when she was arrested, including a heart

surgery and a history of hypertension.

Turner, who leaves behind nine children, was taken to the Montefiore-Mount Vernon Hospital for treatment the day before her death. As with the other cases, her death raises multiple questions.

"All I know is my wife is dead and no one is saying anything," said her husband, Herman Turner, according to ABC news.

Cleveland police officers (who were already in the news for their actions during a "Black Lives Matter" protest) have been given the proverbial side-eye by activists after the death of 37-year-old Balkina Jones July 26.

See WOMEN on page 6

EXHIBIT C2: *Staten Island Advance*, 7/21/15. Photo taken by Ms. Ball for the NYCC.

Budget support for Staten Island cheered by locals



Councilwoman Dabi Rose, Speaker Melissa Mark-Viverito and Minority Leader Staven Matteo announce budget funding for Staten Island. (Madolaine G. Ball for the New York City Council)



By Anna Sanders | asanders@siadvance.com

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on July 21, 2015 at 5:36 PM, updated July 21, 2015 at 5:34 PM

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CITY HALL -- Staten Island's Council members make a point of bringing up the borough at City Hall.

CITY HALL REPORT

Joseph Borelli running unopposed



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Photos from the Staten Island Advance



Must-see Staten Island Advance videos



Obituaries from the Advance

Most Read

EXHIBIT C3: The *Times-Ledger*, 8/14/15-8/20/15. Photo taken by Ms. Ball for the NYCC.

Queens Theatre raises curtain on new year

Season featuring dance, theater and family performances runs from October to May

BY MERLE EXIT

It was "another opening, another show" in Flushing Meadows Corona Park when lawmakers and the borough's performing arts crowd gathered to talk about the 2015-2016 season at the Queens Theatre.

The 27th season, which has been extended from October to May, includes dance, drama and family-friendly shows.

"This will be an exceptional season, one that promises thrilling performances and joyful moments," Taryn Sacramone, the theater's managing director, said. "I know that our audiences will enjoy these shows, and hope that people who have never been to Queens Theatre will come to the theater for the first time."

Things kick off mid-October with performances by the Long Island City-based Jessica Lang Dance company. Lang, who started the troupe in 2011, is known for her choreography that takes classic



City Councilman Jimmy Van Bramer speaks during the announcement of Queens Theatre's 2015-2016 season in Flushing Meadows Corona Park.

Photo courtesy Madeleine Ball

ballet movements and turns them into contemporary works.

In the dance series, Brooklyn-based company Ronald K. Brown/Evidence, A Dance Company; Bill T. Jones/Arnie Zane Dance Company; and Argentine dance company Che Malambo will all have runs.

Theater options in October begin with Renee Taylor's "My Life on a Diet," a one-woman show from the TV and film actress, that details her battles with losing weight.

Other stage productions on tap for the season include "To Kill a Mockingbird," the award-winning musical "Murder for Two" and a new adaptation of "The Adventures of Sherlock Holmes" created by Manhattan-based Aquila Theatre.

The family aeries will feature four shows based on beloved children's books, including "Madeline and the Bad Hat," "The Lion, the Witch and the Wardrobe," "Henry and

Mudge" and "Curious George: The Golden Meatball."

Family shows also include the Queens Theatre debut of "Under the Tangle" by the Treehouse Shakers, and the return of the innovative Lightwire Theater with its newest production "Moon Mouse."

"The Queens Theatre is helping lead the way toward ensuring every New Yorker has access to a wide-variety of artistic programming and the cultural experiences they deserve," Councilman Jimmy Van Bramer (D-Sunnyside), said. "As we launch the 2015-2016 season, Queens Theatre promises to give patrons the opportunity to enjoy quality cultural programming that will promote the diversity of our great borough that makes Queens a top destination for the arts and culture."

More events will be added throughout the season. For more information, visit the theater's website at queens theatre.org.

EXHIBIT C4: This photo was taken by Ms. Ball for the NYCC and ran in the *Canarsie Courier* on 8/13/15. Councilman Williams discussed Catherine McAuley High School before Mayor Bill de Blasio signed legislation to designate East 37th Street and Foster Avenue as “Catherine McAuley High School Way.”

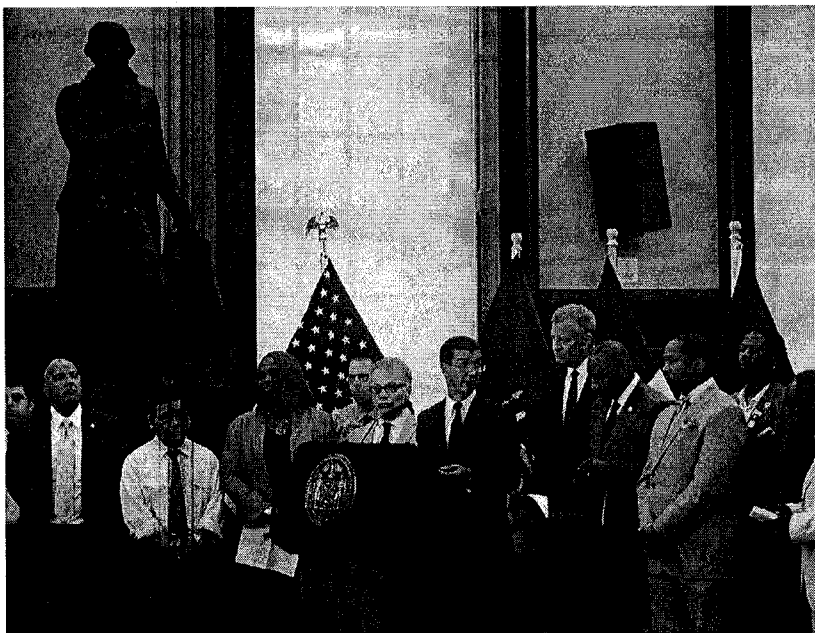


EXHIBIT C5: This photo was taken by Ms. Ball for the NYCC and ran in the *West Side Rag* on 8/10/15. Council members Helen Rosenthal and Mark Levine joined Yankee Manager Joe Girardi at Lasker Pool to hand out Summer Meals to children.



EXHIBIT C6: This photo was taken by Ms. Ball for the NYCC and ran in the *Kings County Politics* on 6/29/17..

Kings County Politics



Council Member Jumaane D. Williams (right) joined Parks Commissioner Mitchell J. Silver (left) Mayor Bill de Blasio and NYC First Lady Chirlane McCray to dedicate a plaque marking the site of the colonial-era Wall Street slave market.
Photo Credit: Madeleine Ball, NYC COUNCIL

A point not lost on Mayor **Bill de Blasio**, who with East Flatbush City Councilman **Jumaane Williams** and others, Saturday, unveiled a plaque in Manhattan on the corner of Wall Street and Water Street marking the site of the colonial-era Wall Street slave market.

"To build a just future, we must understand the injustices of the past. Although it is not a proud moment in our city's history, slave labor played a role in New York City's development, and it must be acknowledged," said **Mayor Bill de Blasio**. "This plaque commemorates the suffering and the contributions of those who passed through the Wall Street slave market."

People of African descent were sold into bondage at the slave market, which operated from 1711 to 1762 by order of the Common Council. Under consecutive Dutch, British and American rule, slave labor was used in New York City homes and industries, including farming and public works. Although the transatlantic slave trade was outlawed by the U.S. Congress in 1807, not all slaves were freed in New York until 1841.

EXHIBIT D1:

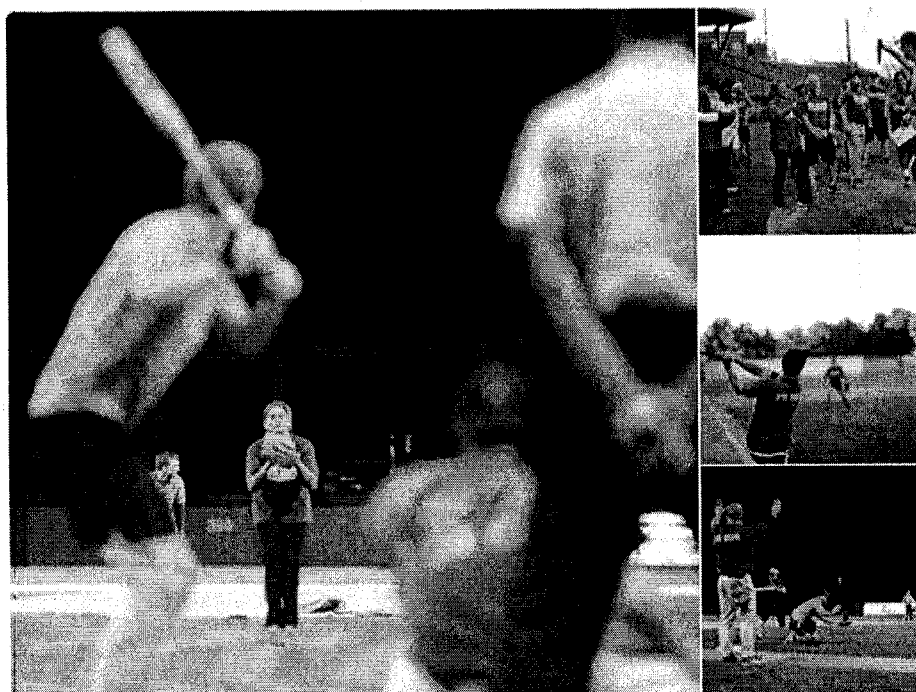
Below are several examples of my work appearing on the NYCC's Twitter account and other accounts affiliated with the NYCC. This is also not an exhaustive list but several good examples. My photos were also used on the NYCC's Instagram and Facebook accounts. Note that I am tagged in the Twitter posts as @madeleinecball.

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NYC Council • @NYCCouncil • 18 Sep 2015

Great images by intern @madeleinecball, who was limited to just two fixed lenses. No zooms. She made it work!



You Retweeted



NYC Council • @NYCCouncil • 27 Aug 2015

.@MMViverito @eric_ulrich hail funding for crucial vets services initiative. Pics by @madeleinecball @John_McCarten



18

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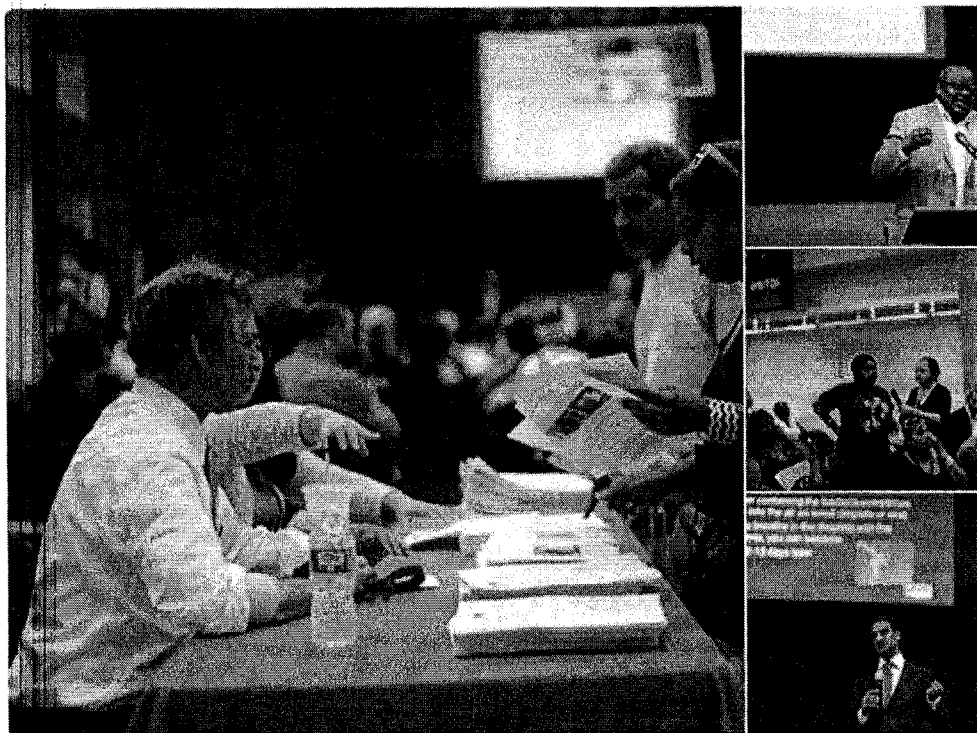


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NYC Council • @NYCCouncil • 18 Aug 2015

Talno Towers resident mtng on Legionnaires in @MMViverito's district w/help
frm Council staff. Pics @madeleinecball



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You Retweeted



NYC Council • @NYCCouncil • 12 Aug 2015

Speaker @MMViverito attends Bronx town hall meeting on Legionnaire's Disease. Photos by intern @madeleinecball



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NYC Council • @NYCCouncil • 9 Aug 2015

Speaker @MMViverito @JulissaFerrerias @CMReynoso34 march in 34th annual Dominican Day Parade



🔄 10

❤️ 5

